

REMARKS

Examination of the claims as amended is requested.

It is the position of Applicant that, except for recitation "wherein the layer is not of a cold plasma polymerized siloxane or silazane," the claim amendments made herein present no bar to the application of the doctrine of equivalents, and that no equivalents are surrendered by any such amendment, because none of these amendments represents "a narrowing amendment" that is "made for purposes of patentability." Indeed, other than for the aforementioned exception, the claims have been amended to cover methods of the present invention rather than apparatus of the present invention as originally presented in the application. Applicant intends to continue to pursue patent protection for an apparatus of the present invention in a continuing application.

As suggested by the Examiner, a request for continued examination (RCE) is filed concurrently herewith because patent protection now is sought in the present application for a method rather than an apparatus.

Applicant submits that currently pending claims are allowable over the references of record and stand in condition for allowance. In particular, Applicant submits that the invention and teaching of Caburet et al. U.S. Patent No. 5,576,068 ("*Caburet*"), by its own terms, is limited to the cold plasma polymerization of only certain types of siloxanes and silazanes as identified, for example, in the abstract and at col. 3, lines 15-35, and at col. 3, line 65-col. 4, line 14. *Caburet* therefore does not disclose or teach utilizing cold plasma polymerization of an apparatus for dispensing a medicament using other monomers as disclosed and now claimed in the present application.

Applicant notes that the Examiner agreed with this observation of *Caburet* during the interview that was held with the Examiner by the undersigned on October 6, 2003. Specifically, agreement was reached that none of the references discloses or teaches the utilization of cold plasma polymerization to create a coating of cold plasma polymerized monomers of other than

siloxanes and silazanes. The Examiner agreed that *Caburet* is specific in its disclosure that the coating is of cold polymerized monomers of at least siloxane or silazane.

In light of the interview, the claims have been amended to specifically exclude siloxanes and silazanes from the possible monomers of the claimed methods. Applicant therefore submits that *Caburet* fails to disclose or suggest the claimed methods, and that the claims presented for examination stand in condition for allowance.

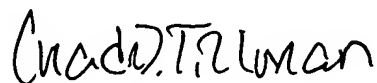
Finally, in reviewing the Office Action of May 20, 2003, Applicant has noted the representations in the Office Action that (1) none of the certified copies of the priority documents have been received by the Office (see Box 13 of the Office Action Summary sheet); and (2) the claim for domestic priority in the current application has not been recognized (see Box 15 of the Office Action Summary sheet).

With regard to the first matter, Applicant submitted to the Office on September 29, 2003, via U.S. Express Mail, certified copies of the foreign priority documents. Applicant respectfully requests acknowledgement by the Examiner of receipt of these documents and the perfection of the foreign priority claim.

With regard to the second matter, a Preliminary Amendment was filed with the application on January 17, 2002, setting forth the domestic priority claim in the first paragraph of the specification, which domestic claim was recognized in the official filing receipt. Applicant respectfully requests acknowledgement of the domestic priority claim by the Examiner.

In view of the foregoing, Applicant respectfully requests the passing of the present application to issue.

Respectfully submitted,
Morris, Manning & Martin, LLP

A handwritten signature in black ink that reads "Chad D. Tillman". The signature is written in a cursive, slightly stylized font.

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